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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

Plaintiff,

v.

LEVY IZHAK ROSENBAUM,
a/k/a "Isaac Rosenbaum"

Defendant.

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~~Honorable Garrett E. Brown, Jr.~~

Criminal No. 11- 741 (AET)

PRELIMINARY ORDER OF
FORFEITURE

WHEREAS, on Oct 27, 2011, defendant Levy Izhak Rosenbaum pleaded guilty to an Information that charged him with conspiring to acquire, receive, and otherwise transfer human organs for valuable consideration for use in human transplantation, with such transfers affecting interstate commerce, contrary to Title 42, United States Code, Section 274e, in violation of Title 18, United States Code, Section 371; and

WHEREAS, pursuant to Title 18, United States Code, Section 982(a)(7), the Court in imposing sentence on a person convicted of an offense contrary to Title 42, United States Code, Section 274e, in violation of Title 18, United States Code, Section 371, shall order that person to forfeit to the United States any property, real or personal, involved in or traceable to such offense; and

WHEREAS, by virtue of the above, the defendant has agreed to forfeit the amount of \$420,000 to the United States (the "Forfeitable Property"); and

WHEREAS, by virtue of the above, the United States is entitled to possession of a sum of money totaling \$420,000 by the date of sentencing; and

WHEREAS, should defendant fail to pay the \$420,000 by the date of sentencing, a money judgment in the amount of \$420,000 or the amount still due and owing shall exist against the defendant for the benefit of the United States with interest accruing thereon pursuant to the provisions of Title 28, United States Code, Section 1961; and

WHEREAS, defendant Levy Izhak Rosenbaum has agreed that the Forfeitable Property was involved in or traceable to the commission of the offense in violation of Title 42, United States Code, Section 274e, and is thus subject to forfeiture to the United States pursuant to Title 18 United States Code, Section 982(a)(7); and

WHEREAS, defendant Levy Izhak Rosenbaum has agreed to the forfeiture of any and all right, title or interest in the Forfeitable Property, and has agreed not to contest the forfeiture of this amount to the United States. Defendant Rosenbaum further has waived any constitutional and statutory challenges in any manner (including direct appeal, habeas corpus, or any other means) on any ground to the forfeiture of the \$420,000, including any argument that the forfeiture constituted an excessive fine or punishment under the Eighth Amendment to the United States Constitution.

It is hereby **ORDERED, ADJUDGED AND DECREED:**

THAT the herein described assets, namely:

A sum of money totaling \$420,000 is hereby forfeited to the United States of America pursuant to the provisions 18 U.S.C. § 982, for disposition in accordance with the provisions of 21 U.S.C. § 853; and

THAT the \$420,000 is hereby forfeited to the United States of America pursuant to Title 18, United States Code, Section 982; and

THAT defendant Levy Izhak Rosenbaum has forfeited any claim to the Forfeitable Property; and

THAT should defendant fail to pay the \$420,000 by the date of sentencing, a money judgment in the amount of \$420,000 or the amount still due and owing shall exist against the defendant for the benefit of the United States with interest accruing thereon pursuant to the provisions of Title 28, United States Code, Section 1961; and

THAT pursuant to Title 21, United States Code, Section 853(n)(1), the United States shall publish notice of this Order and of its intent to dispose of the Forfeitable Property in such a manner as the Attorney General may direct, including posting notice on the official internet government forfeiture site www.forfeiture.gov for at least 30 consecutive days; and

THAT pursuant to Title 21, United States Code, Section 853(n)(2), any person, other than defendant Levy Izhak Rosenbaum, asserting a legal interest in the Forfeitable Property must file a petition with the Court within **thirty (30)** days of the final publication of notice or of receipt of actual notice, whichever is earlier, and state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Forfeitable Property; and

THAT pursuant to Title 21, United States Code, Section 853(n)(3), the petition shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the

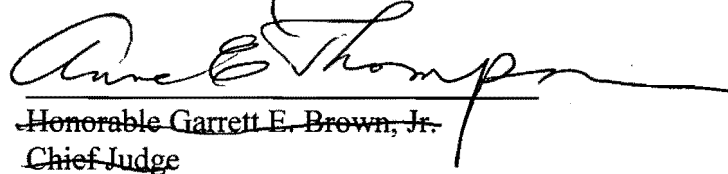
petitioner's right, title or interest in the Forfeitable Property, the time and circumstances of the petitioner's acquisition of the right, title, or interest in the Forfeitable Property, and any additional facts supporting the petitioner's claim and the relief sought; and

THAT the United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the Forfeitable Property, as a substitute for published notice as to those persons so notified; and


THAT the Forfeitable Property is to be held by the appropriate United States agency in its secure custody and control until the appropriate disposition of the Forfeitable Property by the United States; and

THAT upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to Title 21, United States Code, Section 853(n), in which all interests will be addressed.

ORDERED this 27 day of October, 2011


Honorable Garrett E. Brown, Jr.
Chief Judge

I hereby consent to the
entry and form of this Order


By: Levy Izhak Rosenbaum
Defendant